

Application No. 08/771,467

Docket No.: 47309-00025USC1

**REMARKS**

Claims 2-4, 7-8, 11, 15, 30-41, 44-51, and 53-63 are currently pending in the application. Applicants thank the Examiner for the noted allowance of independent claim 41 and dependent claims 53-63. Applicants also thank the Examiner for the courtesies which were extended during the telephone interview with the undersigned attorney on June 18, 2004. During the interview, the Examiner provided clarification on the 35 U.S.C. § 112 rejections of claims 47 and 2 and confirmed typographical errors in the third paragraph on page two of the office action (should read "[i]t is evident that all the pesticides of claim 47 are insecticides; therefore claim 46 is redundant" rather than as worded in the office action).

Independent claim 47 has been amended to specify that the pesticides are in liquid form. Dependent claim 2 has been amended to specify that the at least one liquid pesticide is formed by heating a solid pesticide to convert the solid pesticide into the at least one liquid pesticide. Dependent claim 32 has been amended to recite a dependency from claim 47 rather than now cancelled claim 31. Dependent claims 36, 39, and 40 have been amended to recite carrier particles as recited in base claim 47. Dependent claim 8 has been amended to correct a typographical error by adding the term "the."

Dependent claims 15, 31, and 46 have been cancelled. In addition, previously withdrawn claims 10, 12-14, 16-29, and 42 have been formally cancelled. No new claims have been added. Thus, claims 2-4, 7-8, 11, 30, 32-41, 44-45, 47-51, and 53-63 remain pending in the present application.

**35 U.S.C. § 112 Rejections**

As noted above, Applicants have amended independent claim 47 to specify that the pesticides are in liquid form. Support for this amendment is found in the specification, *inter alia*, at page 13, lines 11-30; page 15, line 3 – page 16, line 29. Applicants have amended dependent claim 2 to specify that the at least one liquid pesticide is formed by heating a solid pesticide to convert the solid pesticide into the at least one liquid pesticide. Support for this amendment is found in the specification, *inter alia*, at page 15, line 3 – page 16, line 29. Applicants have cancelled claims 15, 31, and 46. In view of the amendments to claims 47 and 2 and the cancellation of claims 15, 31, and 46, Applicants respectfully request the

Application No. 08/771,467

Docket No.: 47309-00025USC1

withdrawal of the § 112 rejections. In addition, Applicants respectfully request the withdrawal of the rejections of dependent claims 3-4, 7-8, 11, 30, 33-40, 44-45, and 48-51 which depend from amended base claim 47.

Outstanding Information Disclosure Statement

Enclosed is a copy of the Supplemental Information Disclosure Statement which Applicants submitted to the Office on February 13, 2004. Applicants again request that this Information Disclosure Statement be entered and the reference(s) listed on the attached Form PTO-1449 be considered by the Examiner and made of record.

Applicants respectfully submit that, in view of the amendments and remarks set forth above, all rejections have been overcome and that all claims are in condition for allowance, and such action is earnestly solicited. Applicants respectfully request that a timely Notice of Allowance be issued in this case.

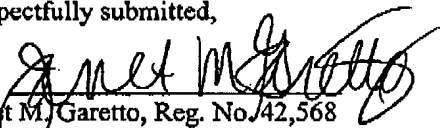
No fees are believed to be due. The Commissioner is hereby authorized to charge deposit account no. 10-0447 (47309-00025USC1) for any fees inadvertently omitted (except the issue fee) or for any fees which may be necessary now or during the pendency of this application.

If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at the number indicated.

Dated: June 22, 2004

Respectfully submitted,

By:

  
Janet M. Garetto, Reg. No. 42,568

JENKENS & GILCHRIST,

A PROFESSIONAL CORPORATION

225 W. Washington, Ste. 2600

Chicago, Illinois 60606-3418

Attorney for Applicants